

March 22, 2025

Lakshminarasimha and USA

V

Rudy Renfer, Mathew Fesak, Neal Katyal,
Pamela Karlan, Stephanie Hinds, United
States Secretary of Navy, United States
Secretary of Transportation, GE, EPRI and
multiple other parties

5:09cv375:FL, 3:12-mc-80277-RS and
related cases, 3:25-cv-01780-WHA

3:25-cv-01780-WHA
Judicial Notice and Motion
Joinder, Intervention,
Change of venue, Case Consolidation,
Multidistrict Litigation

FILED

MAR 27 2025

CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

Respected Hon Judge William Alsup,

Judicial Notice: Joinder and/or Intervention with or without consolidation in
3:25-cv-01780-WHA with 5:09cv375:FL, 3:12-mc-80277-RS and related cases.

Refer to DE 59 5:09cv375:FL, Gov response to court order (page 5 sample attached)

28 U.S. Code § 517 - Interests of United States in pending suits, The Solicitor General, or any officer of the Department of Justice, may be sent by the Attorney General to any State or district in the United States to attend to the interests of the United States in a suit pending in a court of the United States, or in a court of a State, or to attend to any other interest of the United States.

Facts and evidence show, American Federation Of Government Employees (AFOG) and AFL-CIO have initiated a case against United States Office of Personnel Management (OPM), 3:25-cv-01780, (N.D. Cal.) since thousands of employees are being terminated from their employment based on a Notice from OPM. Subject matter of that case require court to determine if method and means or due process current gov is using in terminating employment relationship not limited to if an employee is temporary, in probationary status or has completed probationary period or if employee is permanent etc is fair or not.

Details I provided to US DOJ and courts has and had claimed my civil case 5:09cv375:FL, 3:12-mc-80277-RS and related cases, involved all of these circumstances as well as discrimination and retaliation matter involving multiple employers and third parties. Please refer to several US Navy and US Dept of Transportation and FAA related EEOC complaint that involve pertain to me US Navy NAWCAD Case 09-00421-03289, 15-00421-00671, FAA and US DOT 2005/6 and Dept of Transportation case - 2025-0064-OST-R BTS, NASA.. Please refer to my email interaction with US Navy..

Start Email

From: arkalgud simha [mailto:arkalgud_simha@yahoo.com]

Sent: Wednesday, July 13, 2005 15:22

To: Donn, Crystal L. CIV NAVAIR 1489, 218

Subject: Re: SF-50

Donn:

I was beyond probationary period (one year) and also I completed Level III certification.

FYI. Babu

"Donn, Crystal L. CIV NAVAIR 1489, 218" <crystal.donn@navy.mil> wrote:

Ok but a life time of reinstatement is 3 years of service. Did you request your SF50 from the federal records center? Thanks

Crystal Donn, Human Resources Office, 301-342-8249

Sent: Thursday, July 14, 2005 16:28

To: Donn, Crystal L. CIV NAVAIR 1489, 218

Subject: RE: SF-50

Donn:

Thanks.. I called the number, it is along tedious process taking ten to fifteen days...But just a little while ago I did find the form..

The form shows I am still on probation.. But before i left I had completed one year probation, and level III certification.. Is there a way to change this..so that I was no longer on probation..Also, can HR help me with job placement assistance?? (I dont know CTAP etc mean..). I have significant experience in many fields.. My preference is non-defense related work..

(when resumes etc are computrized, why not SF-50? it seems it is important??)

Sincerely, Babu (678) 485-2750.

Donn, Crystal L. CIV NAVAIR 1489, 218" <crystal.donn@navy.mil> wrote:

Hi Babu,

What SF50 did you find? Do you have your resignation SF50? That is the SF50 you are going to need if trying to get another Federal job. I don't believe your SF50 tells you that you are in a probationary period unless it is written in the notepad. If you don't have your resignation SF50 and you are planning to get another government job you should go ahead and request that now. In searching for government jobs I can forward you to the <http://www.donhr.navy.mil> website and you can apply for different positions you are interested in and that you qualify for. You can also go to <http://www.opm.gov> and that will give you all government jobs (not just navy). I hope this helps.

I don't know why SF50's are not electronic but it could be because they have so much privacy act information on them.

I hope this helps!

Crystal

-----Original Message-----

From: arkalgud simha [mailto:arkalgud_simha@yahoo.com]

Sent: Tuesday, July 19, 2005 9:45

To: Donn, Crystal L. CIV NAVAIR 1489, 218

Subject: RE: SF-50

Crytsal:

My job posting said 1 year probationary period, and so I requested clarification.

Thanks.. Respectfully, Babu

"Donn, Crystal L. CIV NAVAIR 1489, 218" <crystal.donn@navy.mil> wrote:

Babu,

Your DAWIA certification has nothing to do with your tenure. Passing your probationary period does not change your tenure either. To become permanent (tenure 1) you have to be conditional for 3 years then a change in tenure is automatically processed to make you permanent. That is also when you have lifetime reinstatement. Since you did not have 3 years this can not be changed.

Thanks Crystal

xxx END Email xxx

While Judge Alsup and US DOJ are claiming court has jurisdiction to decide on matter related to employer discrimination and reinstatement in 3:25-cv-01780-WHA, US DOJ, 4th circuit Judges on appeal in 09-2276, 10-1080 and US Supreme Court in 10-934, including US DOJ, San Francisco employees and Judge Seeborg have simply failed to understand my case and have simply dismissed my case. Had gov and court considered my case 5:09cv375:FL, 3:12-mc-80277-RS and related cases fairly and properly, then Trump administration could not have used the method they have used to fire employees. In order to explain this, I had requested gov and court to review what happened in my case and what governments response was when Judge Flanagan had ordered gov to respond in 5:09cv375:FL by emailing governments response DE 59 in 5:09cv375:FL to all parties including Pamela Johann, Kelsey Helland, US Attorney's office, San Francisco, CA. Then based on facts and evidence, due process and duty required for Pamela Johann and Kelsey Helland to interact with me, Dept of Defense, US Dept of Transportation, Matthew Fesak, review my case records and briefed Judge Alsup and also taken action against individuals and entities including clerk of court and US attorney's office employees to determine, how my case is not resolved. Since they have not, are forcing me to send this petition, provides evidence that they and clerk of court will continue to deceive me, and therefore I send email to Judge Alsup case coordinator and submitted a request for Judge Alsup to issue an appropriate order. I anticipate Judge Alsup will review this and earlier petition and resolve matter by issuing an appropriate court order.

Facts and evidence show I had met with and FBI and US attorney's office employees in Raleigh, NC and when they had not resolved my employment and family breakup matter, I had explained my situation and requested US DOJ and attorney general and office of president in Washington, DC to resolve matter including reinstatement and when they failed to resolve matter, I initiated 5:09cv375:FL and several cases including in federal court including 3:12-mc-80277-RS. Even though my complaint and claim involved employer discrimination and family break matter, since government failed to resolve matter, clerk of court forced me to name defendant. I had named FBI, attorney general and Office of President as defendants. Gov and court knew, multiple employers and other parties including US Navy were defendants. Gov and court knew I had sought reinstatement. Matthew Fesak and George Holding representing Government not limited to US Navy and employers had cited OPM regulations and also asserted and claimed I had not named proper defendants and simply motioned court to dismiss case. Judge Flanagan and numerous 4th circuit Judges and US Supreme Court justices failed to understand, I had gone to US DOJ or gov, since I did not know how to resolve my unresolved employment situation and therefore even if I did not know, court should have known what government needed to resolve my situation and therefore court could not use pleading and notification standard to dismiss my case. Therefore, gov and court knew

duties and responsibilities to submit my complaint and petition did not rest with alone, duty required for US DOJ and other agencies to investigate and resolve matter also using EEOC, OSC and MSPB including Office of President. Then, based on circumstances and situation US DOJ attorney's in San Francisco and clerk of court in San Francisco could have resolved the matter. Instead, I was forced to initiate 3:12-mc-80277-RS and multiple other cases. Facts and evidence not only since 2008-2012, but even after I initiated 3:12-mc-80277-RS, I was made to initiate multiple additional cases in NC, 4th circuit judges, Judge Seeborg have not resolved matter, even after I have attempted to know modus operandi of fraud I have been made to endure attempted to use FRCP 9, 60, cure defects, even when gov and court knew burden to investigate and resolve matter did not rest with me alone. Facts and evidence show, I later learnt about intervention and joinder remedy, and since Judge Jackson was considering matter related to employer termination I requested that I be allowed to enjoin that case using joinder, intervention and consolidation. Since I later learnt about case 3:25-cv-01780-WHA assigned to Alsup and that case is more directly involve several federal agency employers and OPM and I had sent several letters to OPM and they had failed to resolve matter also. Therefore since, 3:25-cv-01780-WHA involve issues related to OPM, US DOD, US Dept of Transportation and multiple other employers have discriminated me also, then I claim I have right to join litigation through a combination of joinder, intervention, consolidation, change of venue. Duty also requires for US DOJ and employers resolve matter and court order defendants to resolve matter and reinstate me, since I have requested Navy numerous times. Since I have mailed documents to all parties numerous times I request court to waive me from mailing my March 12, 15, 17, and 19th documents, as I said I will in email I sent earlier since I have notified them by email already. I will send this request to all those additional parties with other postal mail I plan to send them soon. I certify I will send this document to them by email, including US DOJ and court.

Certificate of Service

I certify I have mailed this document by postal mail to court and to US attorney's office at 450 Golden Gate Avenue, San Francisco, CA 94102

I certify I have also emailed this document to egoldsmith@altber.com, Kelsey Helland of US DOJ – Kelsey Helland at kelsey.helland@usdoj.gov, Pamela Johann Pamela.Johann@usdoj.gov, Mathew Fesak of US DOJ, Raleigh, NC office matthew.fesak@usdoj.gov, US Federal Court in San Francisco ODocketing@cand.uscourts.gov, whapo@cand.uscourts.gov American Federation of Government Employees, sanghr@afge.org

Respectfully submitted,

Arkalgud Lakshminarasimha (Ark Simha),
2602 6th Avenue Apt 2, Canyon, TX 79015

(806) 584 – 6558
March 22, 2025

Case 5:09-cv-00375-FL Document 59 Filed 11/13/09 Page 5 of 12

Government. However, to the extent that a response has been solicited, this Court would lack jurisdiction over such a claim, as explained in greater detail below.

Second, Plaintiff seeks "emergency reinstatement as a federal employee" [DE-34]. Plaintiff states that "this request has been filed" and that he has "provided details" elsewhere, but neither this cause of action nor any allegations substantiating it appear in either his complaint [DE-1] or his amended complaint [DE-10]. Perhaps Plaintiff is referring to another lawsuit or administrative claim he has filed pertaining to reinstatement, but in any event this claim is not properly before the Court at this time. Furthermore, based on the scant details provided in DE-25, Plaintiff has not stated sufficient grounds for relief because "[r]einstatement eligibility does not guarantee ... a job offer." See Office of Personnel Management, Federal Employment Information Fact Sheet EI-02, Jan. 7, 2009, <http://www.usajobs.gov/ei2.asp>. Therefore, Plaintiff has no legal entitlement to reinstatement. Finally, and most importantly, Plaintiff cannot sue the federal government for reinstatement without first supplying a waiver of sovereign immunity. As discussed in greater detail below, Plaintiff has not identified an applicable statutory waiver of sovereign immunity, and as a court of limited jurisdiction, this Court is empowered to act only in those specific instances authorized by

Ark Simha
2602 6th Av Apt 2
Canyon, TX 79015

RECEIVED

MAR 27 2025

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Clerk of Court
US Federal Court
450 Golden Gate Avenue
Box 36060
San Francisco, CA 94102



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